III. REMARKS

1. Claim 8 is amended to correct the antecedent basis error.

2. Applicant appreciates the Examiner's indication of allowable subject matter in the claims, but maintains that the claims should be allowable in their present state.

2. Claims 1, 8, 11 and 16 are not unpatenable over Forslöw (U.S. Patent No. 6,608,832) and Titmuss (U.S. Patent No. 6,522,883) under 35 U.S.C. §103(a).

Claim 1 of Applicant's invention recites a method of allocating data transmission resources in a packet-switched telecommunications system including a terminal and a fixed network to which an operational entity is defined for defining resources for a radio bearer. The method includes **defining** the **radio bearer resources** for the terminal on the basis of an application used by the terminal on said radio bearer in such a manner that the **resources also comprise** the **capacity required** by the defined compression method of header fields in data packets. This is not disclosed or suggested by the combination of Forslöw and Titmoss.

Forslow does not disclose or suggest that the "capacity" of a predetermined header field compression method is taken into account when defining the radio bearer resources of the terminal. Rather, in Forslow, a header compression method can be defined only **after** defining the parameters of the radio bearer first. (Col. 12, lines 29-34). In Applicant's invention, when the mobile station transmit a request to the network to establish a radio bearer, a capacity request is transmitted from the mobile

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station a control signalling to the function session management core network connections, from which the capacity request is forwarded to the corresponding function SM of the serving node 3F-SGSN. A negotiation takes place on whether radio resources accorinding to the capacity request are available. The resource allocation is given as optimally as possible to the different radio bearers. (page 8, line 28 to page 9, line 4 [0024]). Thus, as recited in claim 1, for example, the **"radio bearer resouces"** are defined so that the resources also comprise the **"capacity required"** for the **"defined compression method"**. Forslow and Titmoss do not disclose or suggest defining the resources to include the **"capacity required"** for the **"defined compression method"**.

In Forslow, the base station system protoco; allows the base station system to start and stop PDUs sent by the SGSN. This ensures that the base station system is not flooded by packets in case the radio link capacity is reduced. (Col. 4, lines 34-39). However, there is no disclosure or suggestion here, or anywhere else in Forslow, related to **"defining"** the **"radio bearer resouces"** so that the resources also comprise the **"capacity required"** for the **"defined compression method"** as is recited by Applicant in the claims. Forslow merely suggests that the radio link capacity may be reduced and does not suggest defininng the radio bearer resoursce to include the capacity required as is claimed by Applicant.

The combination of Forslöw with Titmuss does not overcome the above-noted deficiencies. Titmuss does not discuss an application-based capacity allocation or defining a header field compression method, and does not make any suggestion or disclosure related to **"defining"** the **"radio bearer resources"** so

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that the resources also comprise the "**capacity required**" for the "**defined compression method**" as recited by Applicant in the claims. The combination of Forslow and Titmuss does not teach and will not enable one to define a header compression method and take into account the capacity of the defined header field compression method when defining the radio bearer resources for the terminial.

Thus, the combination of Forslöw and Titmuss does not disclose or suggest each feature of Applicant's invention as claimed, and a prima facie case of obviousness is not established.

The Examiner states that Applicant does not claim "application-based capacity allocation". However, it is submitted that the claims recite **defining** the **radio bearer resources** for the terminal on the basis of an application used by the terminal on said radio bearer in such a manner that the **resources also comprise** the **capacity required** by the defined compression method of header fields in data packets. Thus, it should be clear that in Applicant's invention as claimed radio bearer resources are defined on the basis of an application and that the resources include the required capacity. This is not disclosed or suggested by Forslow and Titmuss.

Claims 8, 11 and 16 recite similar subject matter and should also be allowable for the above-stated reasons.

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The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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